UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:23-cv-00110-KDB-SCR

TRAVIS BAXTER,)
Plaintiff,))
VS.	ORDER
EAKERS NURSERY AND TREE FARM, et al.,)))
Defendants.))

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Travis Baxter ("Plaintiff") filed this action on July 12, 2023, against several Defendants. [Doc. 1]. Plaintiff is proceeding in forma pauperis. [Docs. 2, 3]. The Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 3]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff 21 days from July 20, 2023, to amend his Complaint in accordance with the terms of the Court's Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 4].

More than 21 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to prosecute.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

Signed: August 14, 2023

Kenneth D. Bell

United States District Judge